

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

BOARD OF TRUSTEES, SHEET METAL)
WORKERS' NATIONAL PENSION)
FUND, et al.)

Plaintiffs,)

v.)

Civil Action No.: 09cv535

COMFORT ZONE AIR CONDITIONING)
& HEATING SERVICE, INC.)
d/b/a COMFORT ZONE)
d/b/a COMFORT ZONE A/C &)
HTG. SVC, INC.)

Defendants.)

ORDER

This matter comes before the Court on a Report and Recommendation of the Magistrate Judge dated October 16, 2009 (Dkt. no. 11) recommending entry of default judgment against Defendant Comfort Zone Air Conditioning & Heating Service, Inc. ("Comfort Zone"). Defendants filed no objections to the Report and Recommendation. The Court conducted a *de novo* review of the evidence in this case, and adopts and incorporates the findings and recommendations of the Magistrate Judge.

Accordingly, it is hereby

ORDERED that:

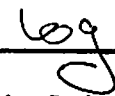
- (1) default judgment is entered against Defendant Comfort Zone Air Conditioning and Heating, in favor of Plaintiffs, NPF, ITI, NEMIC, SMOHIT, and SMWIASF, in the amount of \$33,451.49;¹

¹The chart entitled "Total Amount Due" appearing on p.6 of the report and recommendation contains a typographical error in the column

- (2) Defendant is enjoined from violating the terms of Plaintiffs' employee benefit plan;
- (3) and Defendant must submit timely contributions and reports to Plaintiffs' fund.

ORDERED that the Clerk of Court is directed to enter judgment against Defendants.

November 18, 2009.
Alexandria, Virginia

/s/ 

Liam O'Grady
United States District Judge

reflecting the applicable Attorneys' Fees. Instead of "\$3,415.50" the figure should be "\$6,529.50." This is without prejudice, however, as the total amount due remains \$33,451.49.